

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**HUNTINGTON DIVISION**

JOSEPH H. LAVIGNE, JR.,

Petitioner,

Civil Action No. 3:13-cv-29691

v.

MARVIN PLUMLEY, Warden,  
Huttonsville Correctional Center,

Respondent.

**PETITIONER'S MOTION FOR EXTENSION  
OF TIME TO FILE STATUS REPORT**

Petitioner, by counsel, moves pursuant to Fed.R.Civ.P. 6(b) and Rule 12 of the Rules Governing § 2254 Cases for an order granting a two-week extension for him to file his monthly Status Report, as ordered by the Court on January 25, 2018 (ECF 59). This motion is based on the following grounds:

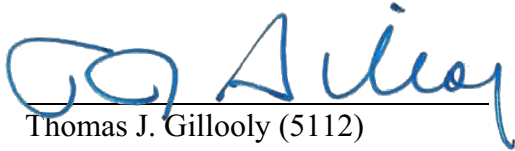
- The last illness and death of the undersigned's mother, Louise F. Gillooly, on April 12-13, 2018;
- The end of the academic semester at the West Virginia University College of Law, and the imminence of final exams;
- An upcoming evidentiary proceeding in the state courts of Alabama in another case, preparation for which is being handled by the student primarily assigned to this case. That case also occupies the director of the West Virginia Innocence Project (WVIP), Prof. Valena Beety.

The undersigned was unable to reach Assistant Attorney General Kizer in time to secure

his agreement to the relief sought before filing this motion.

Respectfully submitted April 20, 2018.

**JOSEPH H. LAVIGNE, JR.,**  
By Counsel

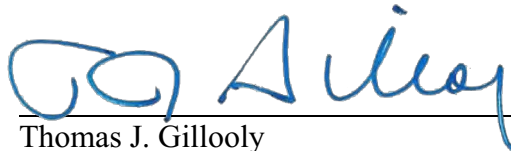


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**CERTIFICATE OF SERVICE**

I hereby certify that on April 20, 2018, I filed the foregoing document electronically,  
using the CM/ECF system, which will send notification of the filing to:

Shannon F. Kiser  
Assistant West Virginia Attorney General



Thomas J. Gillooly